

# CITY OF SUNNYVALE REPORT Administrative Hearing

August 11, 2004

SUBJECT: 2004-0592: Lockheed Martin Space Systems: Application

for a 25.4 acre site located at **1111 Lockheed Way** in an MP-I (Moffett Park Industrial) Zoning District (APN: 110-44-

007);

Motion Application for a Variance from Sunnyvale Municipal Code

Section 19.32.030 for a 117 foot high roof penthouse where

100 feet maximum is allowed.

#### REPORT IN BRIEF

**Existing Site** 

Industrial

**Conditions** 

**Surrounding Land Uses** 

North Cargill Salt Ponds, Yahoo Park Development, Federal

Facilities and Public Utilities

South Highway 237, Highway 101, Juniper Network

Development

East Mathilda Avenue, Moffett Park

West Lockheed Martin Campus, Moffett Field

**Issues** Allow the maximum height of a building to be

increased from 112 feet to 117 feet.

**Environmental** 

Status

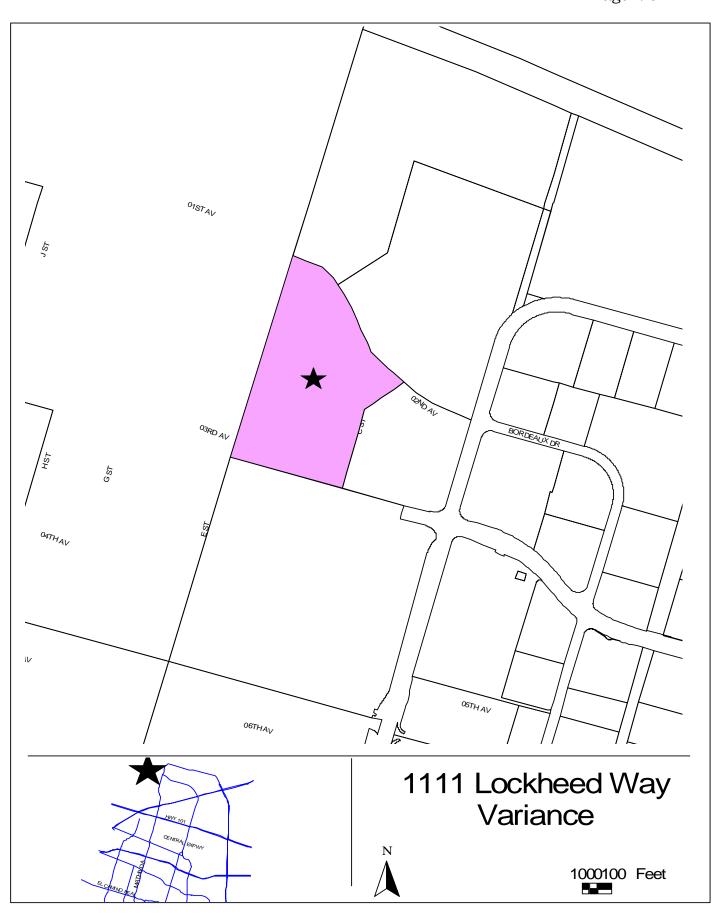
A Class 1 Categorical Exemption relieves this project

from California Environmental Quality Act provisions

and City Guidelines.

**Staff** Approval

Recommendation



#### PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Moffett Park Specific Plan	Moffett Park Specific Plan	
Zoning District	MP-I	MP-I	
Lot Size (s.f.)	24.5 acres	Same	22,500 sq. ft. min.
Gross Floor Area (s.f.)	155,972	Same	35 % max.
Lot Coverage (%)	14%	Same	45% max.
Floor Area Ratio (FAR)	19%	Same	35% max.
No. of Buildings On-Site	3	Same	
Distance Between Buildings	60' min.	Same	60' min.
Building Height (ft.)	65' existing bldg. 112' approved new addition	117' penthouse ***	100' max.
No. of Stories	1	Same	1 max.
Parking			
Total No. of Spaces	354	Same	354 min.
No. of Standards	354	Same	354 min.
No. of Compacts / % of total	-	Same	
No. of Accessible	10	Same	8 min.
No. of Covered Spaces	0	Same	0

<sup>\*\*\*</sup> Deviation from Zoning Code

#### **ANALYSIS**

#### **Background**

**Previous Actions on the Site**: In 2002 Lockheed Martin received approval from the City for an addition to the Building #159, which fronts First Avenue. This building is currently a 155,972 square foot, 60 foot high industrial high

bay. The approved addition, which is under construction, is for 21,305 new square feet at a height of 112 feet. The maximum allowed height in the MP-I Zone is 100 feet.

The following table summarizes previous planning applications related to the subject site.

File Number	Brief Description	Hearing/Decision	Date
2003-0130	Variance for 112 foot	Administrative	3/26/03
	penthouse	Hearing/Approved	
2002-0962	New addition of existing	Approved	4/17/2002
	high bay.		

#### **Description of Proposed Project**

The applicant is proposing that a 64 square foot portion of the building's roof, be allowed to exceed the 100 foot maximum height limit in the MP-I Zone. This 64 square foot portion will be built at a height of 117 feet. It will be located on the portion of the building that was previously approved but has yet to be constructed. It will be located away from the sides of the building, approximately 28 feet to the nearest edge of the roof. This 64 square foot portion is the only portion proposed to exceed the maximum allowed height limit of 112 feet that was approved by a previous Variance.

A Variance was approved last year for this same penthouse. At the time it was anticipated that the penthouse would be 112 feet in height. Since that time, the mechanical equipment to be located under the penthouse has been redesigned and requires five additional feet in height.

#### **Environmental Review**

Staff reviewed the potential environmental impacts for this project and determined that the project is categorically exempt from the California Environmental Quality Act. The application for the Variance falls within the Class 1 Categorical Exemption, which includes minor additions to existing facilities.

#### **Variance**

**Use:** The applicant has requested the variance in order to accommodate specialized equipment used by Lockheed Martin in their research and development. The equipment requires a total roof height of 117 feet during its operation, and is specially designed for Lockheed Martin's use.

**Site Layout:** The proposed penthouse will be sited within the footprint of the approved industrial building. The additional roof height will not have an effect on the site layout of the existing Lockheed Martin campus.

**Architecture:** The existing building and its new addition have vertical slat metal siding on the exterior and the proposed penthouse will have matching exterior siding. (Please refer to the development plans in Attachment #3)

The following Guidelines were considered in the analysis of the project architecture.

Design Policy or Guideline (Architecture)	Comments
Industrial Design Guidelines	The proposed exterior siding matches the existing and
B2. In multi-building complexes, a comprehensive architectural concept shall be developed and maintained. Various site components should be unified through the use of similar design, materials, and colors.	surrounding buildings. The materials are consistent with the Lockheed Martin Design Guidelines.

#### **Compliance with Development Standards**

The proposed addition conforms to all setback and lot coverage standards for the MP-I Zoning District. The proposal also meets all the development standards set forth in the City's *Industrial Design Guidelines*.

#### **Expected Impact on the Surroundings**

The proposed 64 square foot penthouse addition will not have a significant impact on the surrounding area. The adjacent properties are comprised primarily of large office campuses with large mass and scale buildings. The subject site is comprised of industrial high bays, manufacturing facilities, and other industrial buildings varying in height from 30 to 100 feet high. The proposed project, if approved, will be a minor addition to an industrial campus and will be compatible with the surrounding industrial zone.

#### Findings, General Plan Goals and Conditions of Approval

Staff was able to make the required Findings based on the justifications for the Variance.

• Findings and General Plan Goals are located in Attachment 1.

• Conditions of Approval are located in Attachment 2.

### Fiscal Impact

No fiscal impacts are expected.

#### **Public Contact**

Notice of Public Hearing	Staff Report	Agenda
<ul> <li>Published in the Sun newspaper</li> <li>Posted on the site</li> <li>Mailed to the adjacent property owners of the project site</li> </ul>	<ul> <li>Posted on the City of Sunnyvale's Website</li> <li>Provided at the Reference Section of the City of Sunnyvale's Public Library</li> </ul>	<ul> <li>Posted on the City's official notice bulletin board</li> <li>City of Sunnyvale's Website</li> <li>Recorded for SunDial</li> </ul>

## **Alternatives**

- 1. Approve the Variance with the Conditions of Approval found in Attachment 2.
- 2. Deny the Variance. Direct staff to work with the applicant on a revised design.
- 3. Approve the Variance with modified Conditions of Approval.

Recommendation		
Alternative #1.		
Prepared by:		
Gerri Caruso		
Project Planner		
Reviewed by:		
Diana O'Dell		
Senior Planner		
Attachments:		
	1	Findings

- Findings
   Conditions of Approval
- 3. Site and Architectural Plans
- 4. Letter of Justification from the Applicant

#### Findings - Variance

1. Because of exceptional or extraordinary circumstances or conditions applicable to the property, or use, including size, shape, topography, location or surroundings, the strict application of the ordinance is found to deprive the property owner of privileges enjoyed by other properties in the vicinity and within the same zoning district.

Staff has determined that the strict application of the 100 foot height limit in the zoning ordinance is found to deprive the property owner of privileges enjoyed by other properties in the MP-I Zoning District because exceptional circumstance apply to the proposed use of the property. The applicant is proposing a use (highly specialized research and development) that is consistent with the intent of the MP-I Zoning District, but requires an exception to the allowed height limit in order to accommodate the required equipment.

2. The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district.

The proposed use will have no negative impacts on surrounding property owners since the building addition is a minor addition to an existing industrial campus and the addition will be compatible with the surrounding industrial zone.

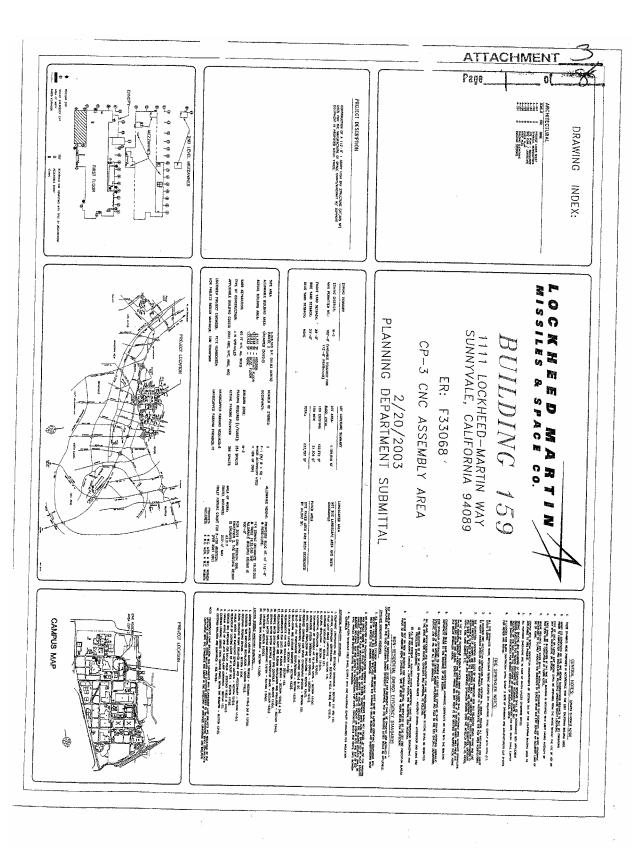
3. Upon granting of the Variance, the intent and purpose of the ordinance will still be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners within the same zoning district.

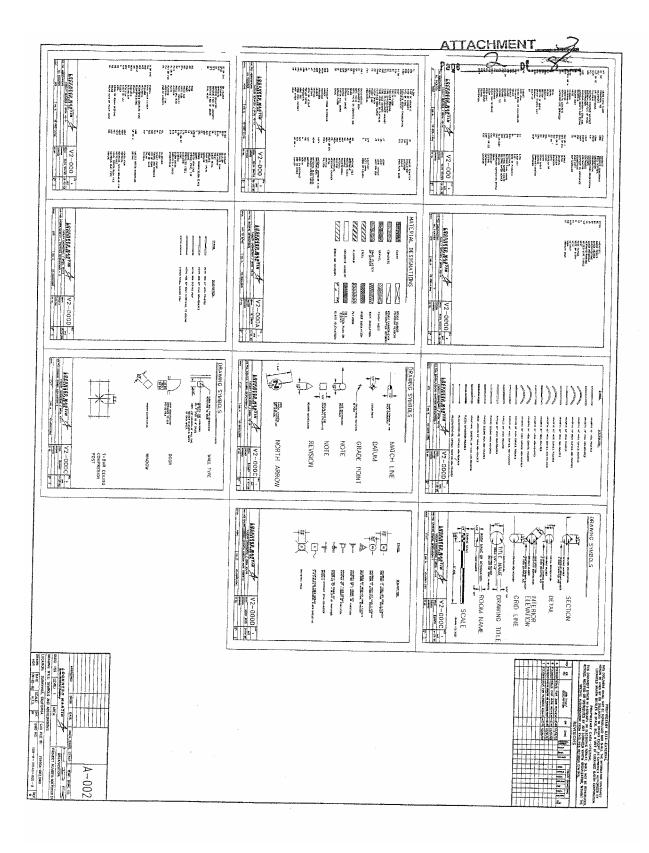
Staff has determined that the intent of the ordinance will be served, since the MP-I Zoning District is intended for industrial research and manufacturing uses that are not compatible in other City zones. In addition, granting a Variance would not set a precedent in this area or in the MP-I Zoning District, since it is unlikely that another similar such tool would be located in the City; therefore Staff determined that a precedent is not being set through approval of this application.

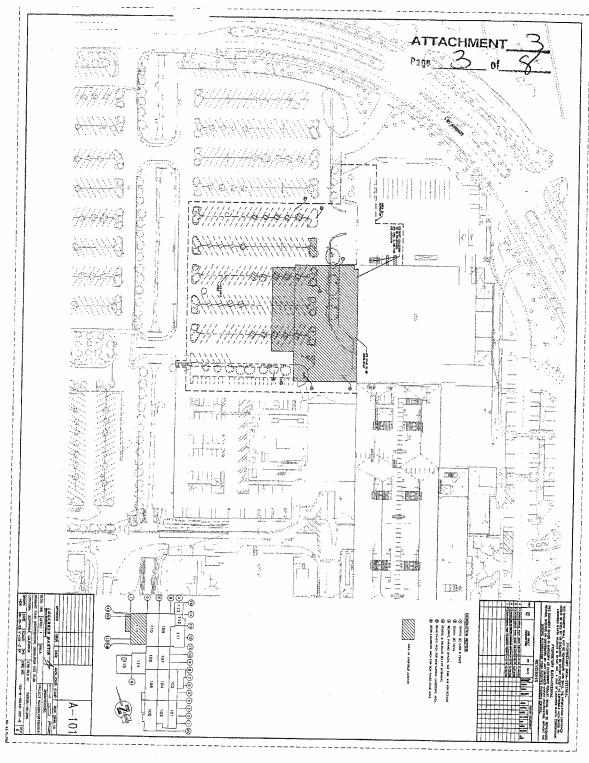
#### **Conditions of Approval - Variance**

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances and Resolutions, the Permittee expressly accepts and agrees to comply with the following Conditions of Approval.

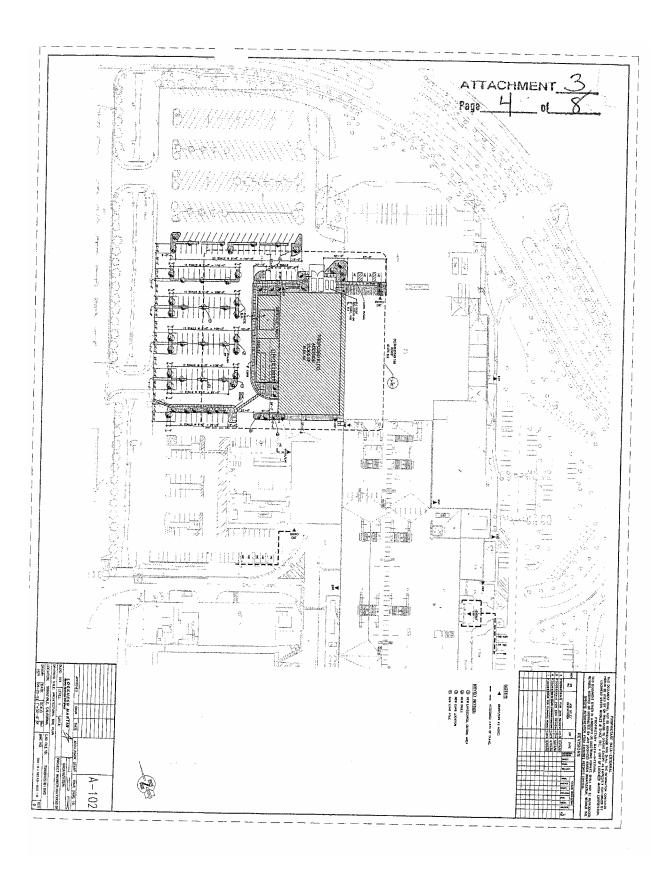
- 1. This approval is for a Variance to allow a 117 foot high roof penthouse where 100 feet maximum is allowed is permitted per SMC Section 19.32.030.
- 2. The two-year expiration date of the Variance shall be measured from the date of the approval by the final review authority at a public hearing if the approval is not exercised.
- 3. The Variance shall be valid only in conjunction with detailed plans as submitted or as may be modified by the reviewing authority of the City during a public hearing. Minor changes of the approved plans may be approved administratively by the Director of Community Development.
- 4. Architectural elevations shall be modified so that the plans call for all new exterior materials to match the existing exterior materials.
- 5. The applicant shall obtain a building permit.
- 6. The applicant shall reproduce the Conditions of Approval on the Title Page of the plans submitted for a building permit for this project.

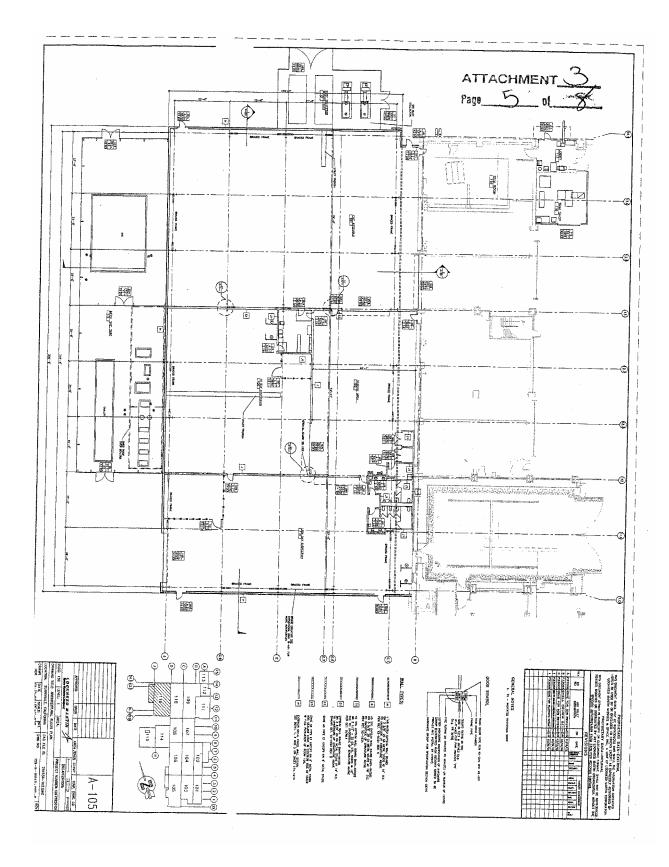


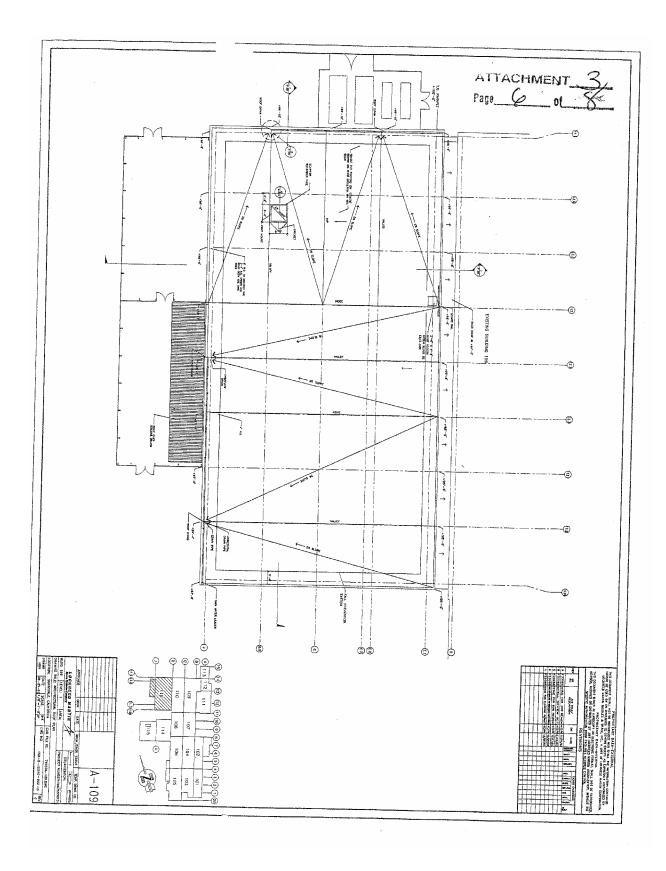


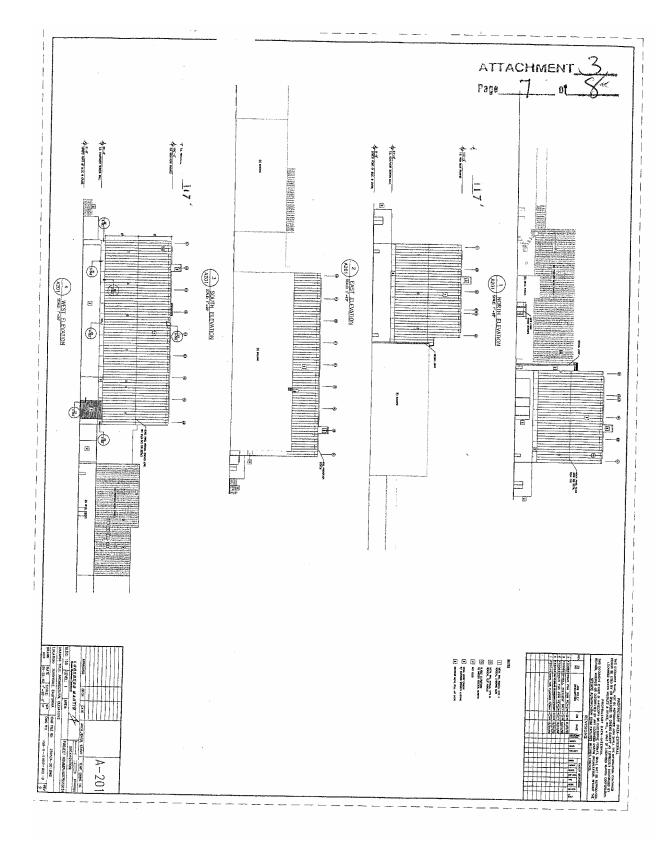


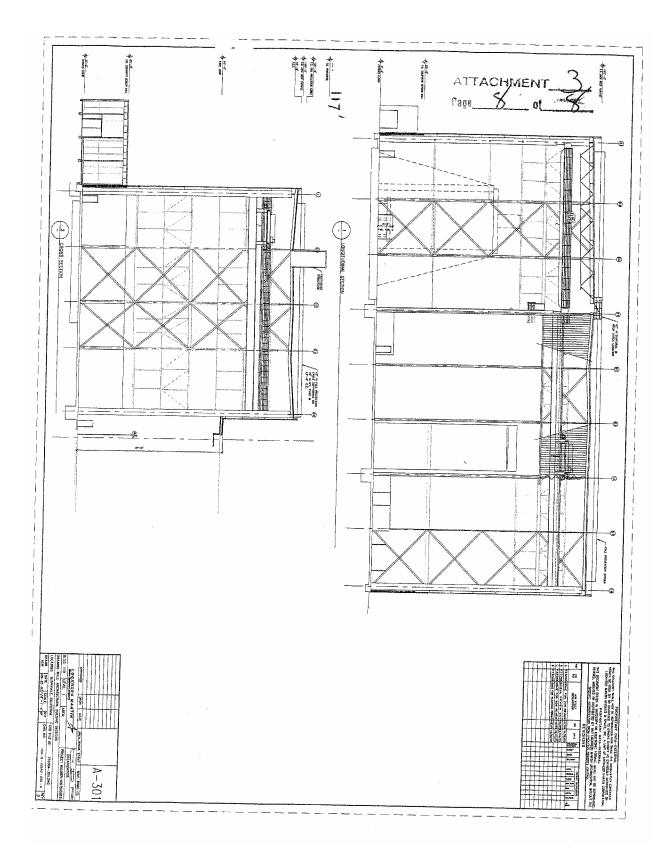












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#### **VARIANCE JUSTIFICATIONS**

Justifications must be submitted by the applicant with all Variance applications. Use this sheet or a separate sheet of paper to complete all of the three statements below.

In granting a Variance, all of the following justifications must be made by the Planning Commission or the Administrative Hearing Officer:

#### 19.84.050. Findings.

- (a) A Variance from the requirements of this title, except for the height of a ground sign, shall be approved only upon a showing by the applicant that:
- 1. Because of exceptional or extraordinary circumstances or conditions applicable to the property, or use, including size, shape, topography, location or surroundings, the strict application of the ordinance is found to deprive the property owner of privileges enjoyed by other properties in the vicinity and within the same zoning district.

THIS EVILLOING ADDITION IS TO BE CONSTRUCTED ON THE LACKHED MARTIN CAMPUS, WHICH HAS EVILLOINGS THAT MEE THIS THU (AND TALLED) DUE TO THE REQUIREMENTS OF THER ZAMED USE.

THE PROPOSED ADDITION (21,305 SF.) IS PRIMARILY WITHIN THE ALLOWABLE 100-0" MAX. HT. ONLY THE PARTHOUSE (G45F.) WILL EXPEND TO 117-0" TO PROVIDE NEODERS SOME FOR A SPECIAL FOR TOO!

TO 117-0" TO PROVIDE NEOUS SPACE FOR A SPAIN LIBO TOOL.

2. The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district.

THE CONSTRUCTION TYPE II N IS PROPOSED FOR THE APOSTION WHICH WILL ALLOW FOR A/160'-0" TALL BLOG. - PER THE 2001 CBC. ALSO HOPE THAT THE PRHHOUSE IS 64 SF, AND THAT THE REST OF THE 21,305 S.F. IS WITHIN THE ALLOWARDED 100' MAX. HT.1

 Upon granting of the Variance the intent and purpose of the ordinance will still be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners within the same zoning district.

THE NEIGHBORING BUILDINGS ON LOCKHOOD'S COMPUS (ZOLE 11-3) ARE OF SIMILAR USE AND SIZE.

If you need assistance in answering any of these justifications, contact the Planning Division staff at the One Stop Permit Center.

D: MD/Forms/Variance Justifications.doc

(8/00)